IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 2651 of 2004

Between:

1 M. Laxmi Narsu, S/o. Narsimha, R/o. H.No. 6-6-66/1, Ravindranagar Colony, Nolgonda.
2 M. Bhaskar, S/o. Lingaiah, C/o. Venugopala Printers, OVR Road, Nalgonda.

..... PETITIONERS

AND

1 The Managing Director, Central Power Distribution Company of AP Limited, Vidyuth Soudha, Khairatabad, Hyderabad.
2 The Superintending Engineer, Operation Circle, Central Power Distribution Company of AP Limited, Nalgonda.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a direction, writ or order, one in the nature of Mandamus directing the respondents to consider the Petitioners' applications for the left over vacancies as per BPMS No. 36 dated 18.5.1997 for the interviews conducted on 12.5.2001 by declaring the action of the respondents in rejecting the petitioners' cases for the post of L.D.C. stating that the balance 50% L.D.C. posts as on 18.5.1997 in terms of BPMS No. 36 dated 18.5.1997 have already been filled up by the eligible candidates, in spite of the good number of vacancies existing, as illegal, improper and arbitrary.

Counsel for the Petitioner: SMT.A.PANKAJA

Counsel for the Respondents : MR.S.RAVINDRANATH

The Court made the following :

ORDER:

Heard both sides and at their request, the main Writ Petition itself is taken up for disposal.

The main grievance of the petitioners is only against the action of the respondents herein in not considering their cases from proper perspective and rejecting their claim for appointment to the post of L.D.C.

The petitioners, who were working as contract labour with the respondents, applied for the L.D.C. posts with the respondents-corporation in response to a notification on 11.03.2001, and attended interviews therefor on 12.05.2001. But, their cases for the said posts were rejected without following the rules under BMPS No.36 dated 18.05.1997.

However, the case of the respondents is that there are no vacancies and hence, question of consideration of petitioners' cases does not arise.

Considering the submissions made on either side and on perusal of the material, it is not necessary to go into merits of the claim either way and it would suffice in the interest of justice to direct the respondents to consider the petitioners' cases as and when vacancies arise in the abovementioned post.

With the above observation, the Writ Petition is disposed of. No costs.

(B.Prakash Rao, J.)

28.03.2005

DRK

Issue CC in one week.

B.O.

DRK

Copy to:

1 The Managing Director, Central Power Distribution Company of AP Limited, Vidyuth Soudha, Khairatabad, Hyderabad.
2 The Superintending Engineer, Operation Circle, Central Power Distribution Company of AP Limited, Nalgonda.

3 Two CD copies.